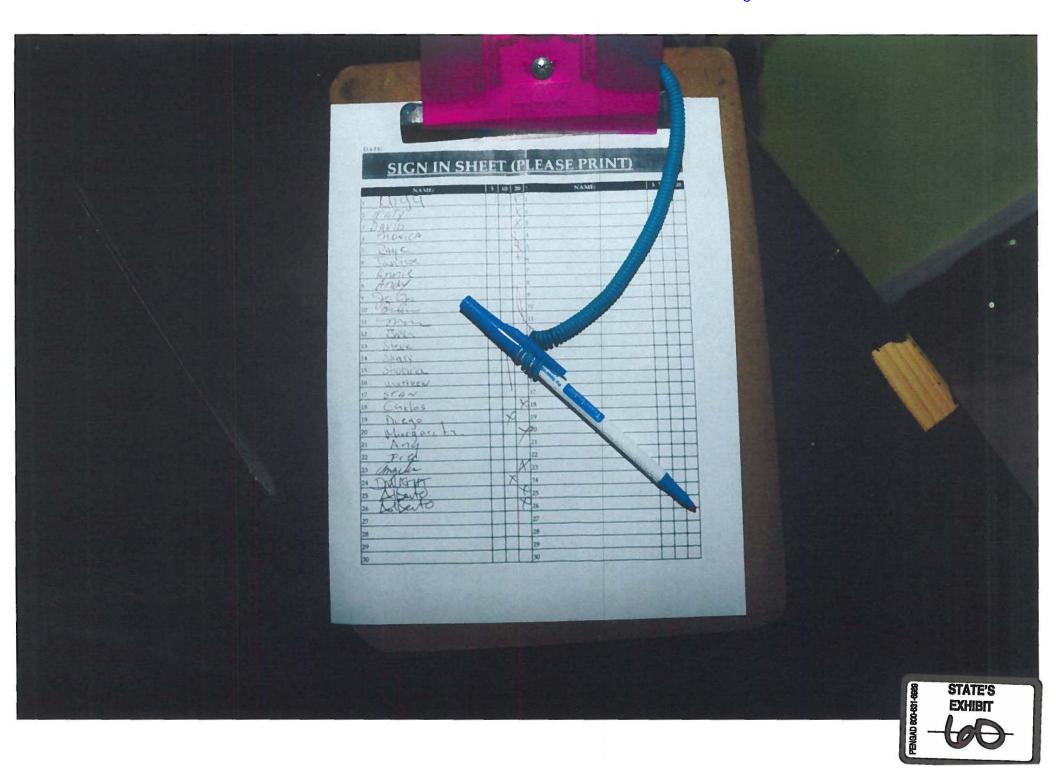


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## HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCES

1885 Old Spanish Trail Houston, Texas 77054-2001

Phone: 713-796-6830 Fax: 713-796-6794

## LABORATORY REPORT

January 21, 2011

LABORATORY NUMBER: IFS11-00524

Date of Birth Race Sex

White

04/22/1977 08/20/1993 White

Sex M M

SUSPECT: SHALOUEI, MATTHEW

OFFENSE NUMBER: HC110008602

Harris County Sheriff's Office

COMPLAINANT: PHAM, LY

CASE OFFICER: M. Carpenter

1301 Franklin

Houston, TX 77002

ANALYST: LaToya Binder, B.S.

Forensic Chemist III

## **EVIDENCE SUBMITTED:**

On 1/20/2011, R. Glover delivered the following evidence:

Subm # 003.

Brown paper bag

#13 White envelope labeled "#13" containing clear plastic ziplock bag

containing off white crystalline substance

Methamphetamine

Net Weight 0.255 grams

Analytical method: GC-FID Analytical method: GC-MS

#14 Black cotton sock containing exhibit 15

No Analysis Performed

#15 Glass tube containing white residue

Methamphetamine

Net Weight Less than 10 mg

Analytical method: GC-FID Analytical method: GC-MS

Technical Reviewer
Julia Jiang, M.S., F-ABC
Forensic Chemist II

Analyst LaToya Binder, B.S. Forensic Chemist III

STATE'S EXHIBIT

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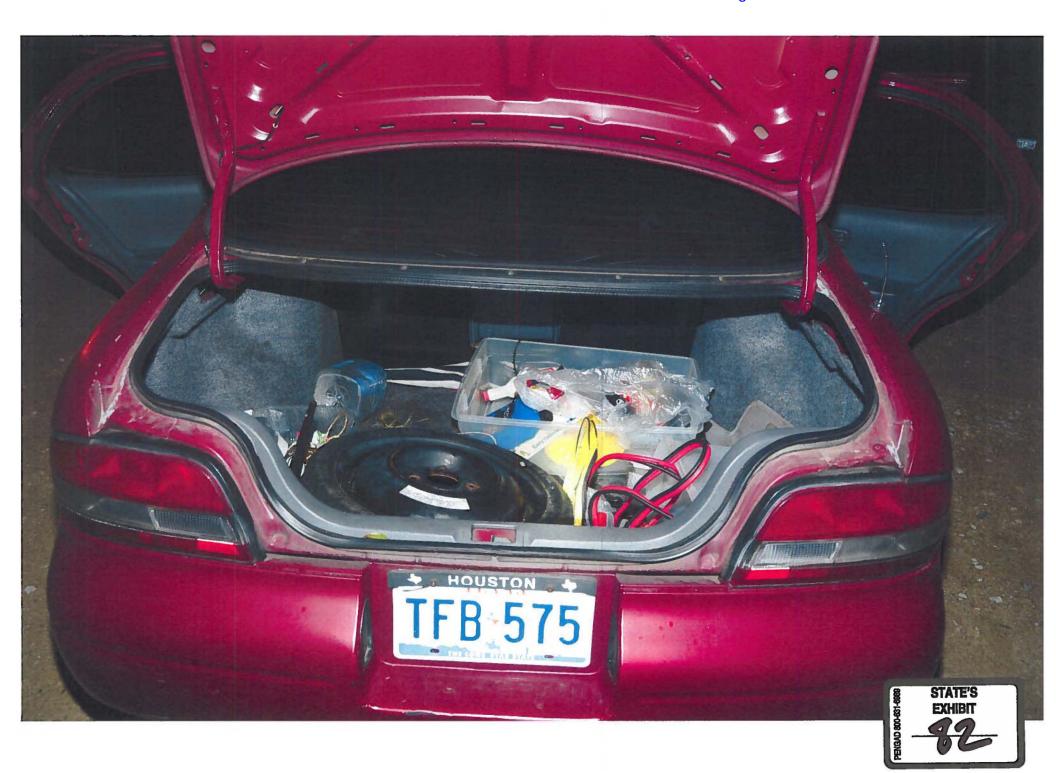
Case 4:18-cv-04406 Document 13-8 Filed on 04/10/19 in TXSD Page 8 of 57



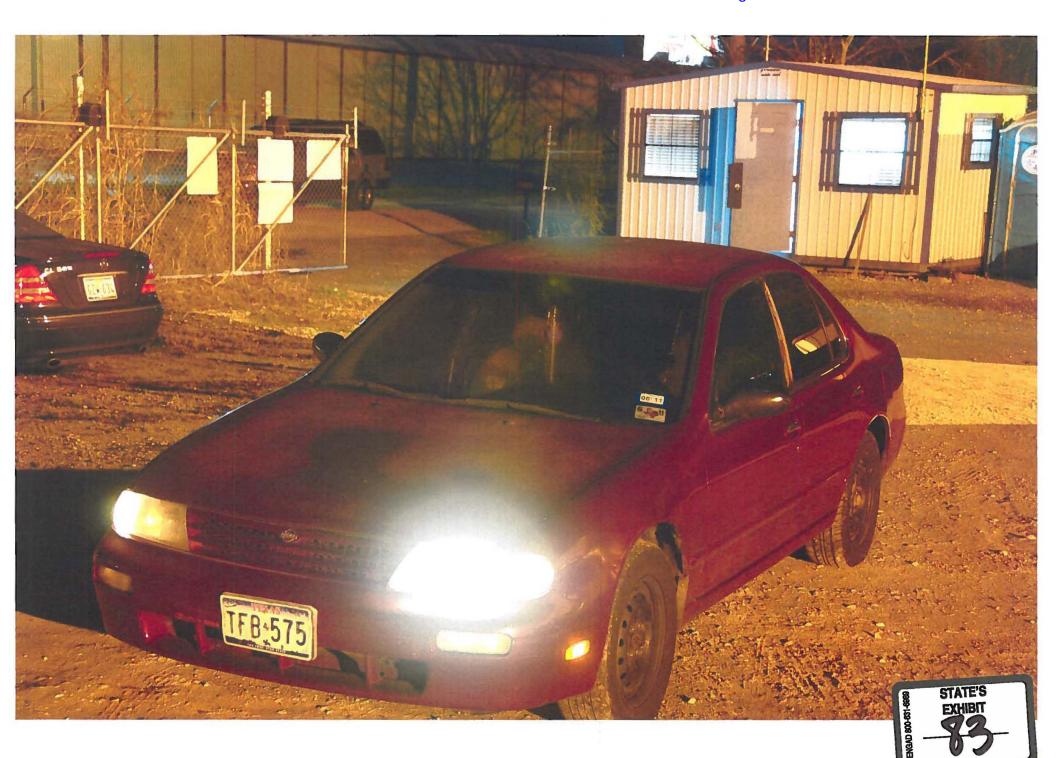
Case 4:18-cv-04406 Document 13-8 Filed on 04/10/19 in TXSD Page 9 of 57







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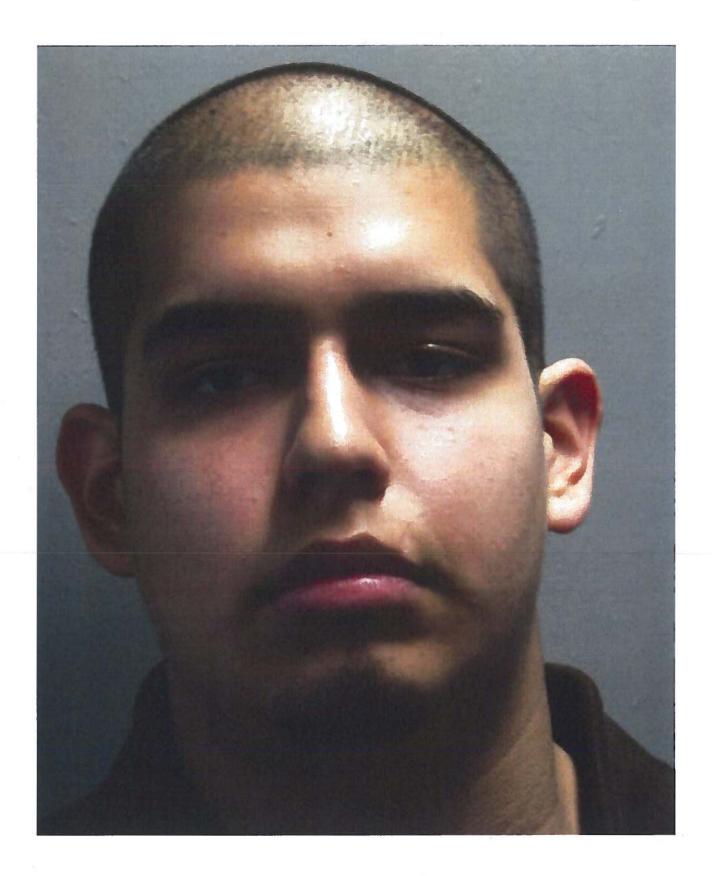




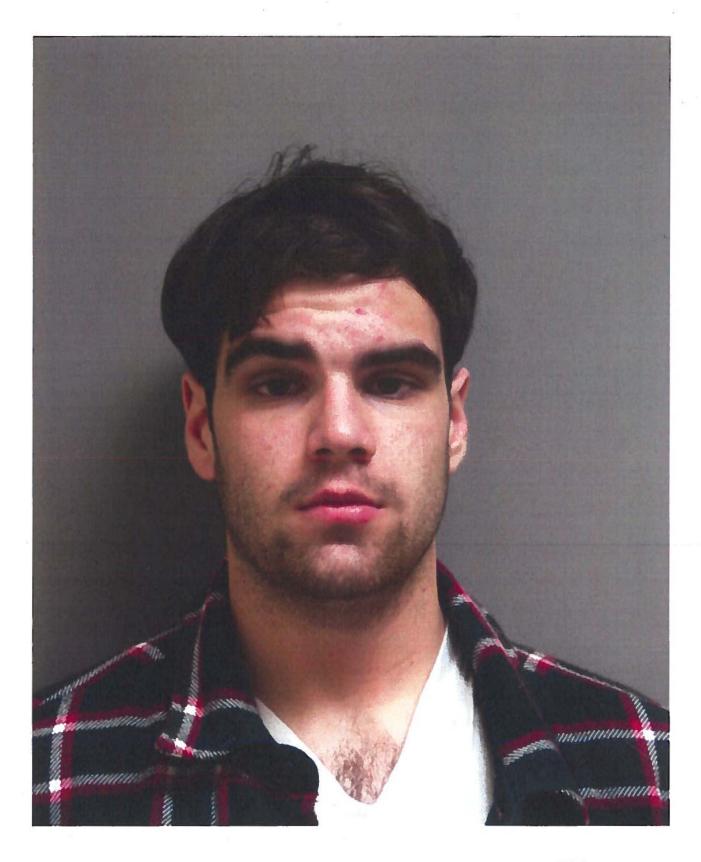




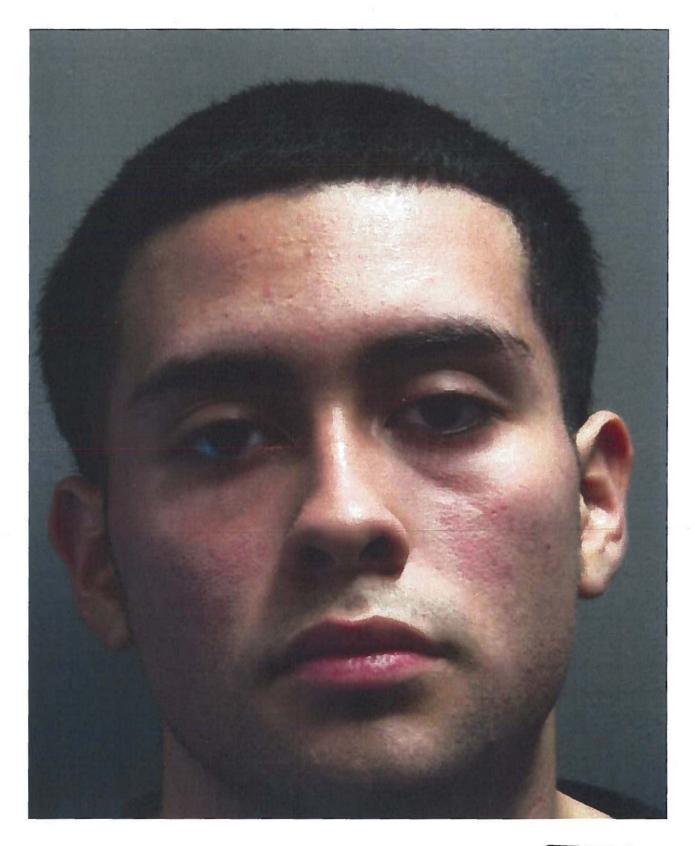














Luis A. Sanchez, M.D. Chief Medical Examiner



Main: (713) 796-9292 Fax: (713) 796-6844

# **Harris County Institute of Forensic Sciences**

## **AUTOPSY REPORT**

Case No. ML11-0211

January 19, 2011

## ON THE BODY OF

Ly Dinh Pham 12951 Briar Forest Drive, #1025 Houston, Texas

CAUSE OF DEATH: Gunshot wound of chest and right arm

MANNER OF DEATH: Homicide

DATE OF DEATH: January 18, 2011

Alex John, M.D.

MMDDYY

Forensic Pathology Fellow

Reviewed by:

VI. Condranto

14 Marl

Michael R. Condron II, M.D.

MMDDYY

Assistant Medical Examiner

Reviewed by:

Dwayne A. Wolf, M.D. Ph.D.

MMDDYY

**Deputy Chief Medical Examiner** 



ML11-0211 -2-

## POSTMORTEM EXAMINATION ON THE BODY OF

Ly Dinh Pham 12951 Briar Forest Drive, #1025 Houston, Texas

HISTORY: This 33 year old Asian male, positively identified by fingerprint comparison as Ly Dinh Pham, was pronounced dead at the scene at 540 Mason Road, Katy, Texas, at 11:30 p.m. on January 18, 2011.

AUTOPSY: The autopsy is performed at the Harris County Institute of Forensic Sciences by Forensic Pathology Fellow Alex John, M.D., under the supervision of Assistant Medical Examiner Michael R. Condron II, M.D., pursuant to Article 49.25, Texas Code of Criminal Procedure, beginning at 9:30 a.m. on January 19, 2011. Deputy Cory Pool of the Harris County Sherriff's Office, Homicide Division was present for portions of the autopsy.

EXTERNAL APPEARANCE: The body is that of a normally developed man, clad in a previously cut gray T-shirt, previously cut gray tank top shirt, blue jeans with a black belt, blue underwear, black sock and a black athletic shoe on the right foot. Received separately in the body bag is a matching black sock and black shoe. The gray T shirt and gray tank top shirt have defects corresponding to the gunshot wound of left chest and right arm described under EVIDENCE OF INJURY.

The body weighs 176 pounds, is 70 inches in length, and appears compatible with the reported age of 33 years. Rigor mortis is fully developed and symmetrical in the upper and lower extremities, neck, and jaw. Fixed red-purple lividity is on the posterior aspect of the body. The body is cool.

The scalp hair is black. Facial hair consists of a short stubble of beard and moustache. The irides are brown. The corneas are clear. The conjunctivae are pale and without petechiae. The sclerae are white. The external auditory canals, nares, and oral cavity are free of foreign material and abnormal secretions. The earlobes are pierced. The nasal septum is palpably intact. The lips are without injury. The teeth are natural.

Ly Dinh Pham ML11-0211 -3-

A gunshot wound of left chest and right arm is described under EVIDENCE OF INJURY. The chest is symmetric. The abdomen is flat. The external genitalia are adult male.

The extremities are normally developed and symmetrical.

IDENTIFYING MARKS AND SCARS: A 3/4 inch linear oblique scar is on the forehead above the left eyebrow. Two scars, 1-1/4 by 1/2 inch and 1/2 by 1/4 inch are on the right knee. A 1-1/2 inch linear oblique scar is on the left knee. Eighteen (18) scars, 1/4 inch by 1/4 inch to 3/8 by 1/4 inch are arranged in a grid-like pattern in a 2-1/2 by 2-1/2 inch area on the dorsal left hand. Two linear oblique scars, 1/2 inch each, are on the lateral left index and middle fingers. Multiple monochromatic tattoos are on the upper extremities, chest, right lower extremity and back.

EVIDENCE OF THERAPY: Multiple electrocardiogram adhesive electrode pads are on the chest and abdomen.

RADIOGRAPHS: Radiographs of the torso, pelvis and upper portion of upper and lower extremities are performed. A metal projectile is in the right arm.

## **EVIDENCE OF INJURY:**

## **GUNSHOT WOUND OF LEFT CHEST AND RIGHT ARM:**

A gunshot entrance wound is on the lateral upper left chest, 15 inches below the top of the head, 5 inches below the top of the left shoulder, and 6 inches left of the anterior midline. The entrance wound is oval, 1/2 by 5/16 inch, with asymmetric circumferential marginal abrasion ranging in width from 1/16 inch medially to 1/4 inch laterally. A faint purple contusion band up to 1/8 inch in thickness surrounds the entire wound. No soot deposition or gunpowder stippling is on the surrounding skin.

The bullet track perforates the left chest musculature, the lateral left  $4^{th}$  intercostal space, the left pericardium, the heart at the interventricular septum, the right ventricle at the base of the pulmonary artery, the right pericardium, the middle lobe of the right lung, the inferior margin of right  $4^{th}$  rib laterally, and the musculature of the right chest wall, then exits the lateral right chest via a 1/2 inch slit-shaped defect which is 5-1/2 inch below the top of the right shoulder in the right midaxillary line. Surrounding the exit wound on the chest is a 1-1/2 by 1-1/2 inch pale blue contusion.

Ly Dinh Pham ML11-0211 -4-

The bullet re-enters the medial proximal right arm via a 1/2 inch slit-shaped defect, 5-1/2 inches below the top of the right shoulder. The bullet penetrates the triceps muscle without injury to any major blood vessels or nerves. A copper jacketed, medium sized bullet is recovered from the triceps muscle. The skin overlying the recovery site has a 2-1/2 by 2 inch pale blue contusion.

The bullet path is directed left to right, front to back, and slightly downward.

Associated with the wound are bilateral hemothoraces (left, 825 milliliters; right, 750 milliliters), hemopericardium (125 milliliters), and hemorrhage in the soft tissues of the chest wall and right arm.

OTHER INJURIES: A 3 by 1/2 inch purple contusion is on the anterior proximal left arm. A 1 by 1/2 inch purple contusion is on the dorsal left hand. A 1/8 by 1/8 inch red abrasion is on the anterior left thumb.

These injuries having been described once will not be repeated.

#### **INTERNAL EXAMINATION:**

BODY CAVITIES: See EVIDENCE OF INJURY. No adhesions are in the body cavities. All internal organs are in the normal anatomic position. The subcutaneous fat layer of the abdominal wall is 3/4 inch thick.

HEAD (CENTRAL NERVOUS SYSTEM): The subcutaneous scalp tissues are free of contusions. The calvaria is unremarkable. The dura mater and falx cerebri are intact. There is no epidural, subdural, or subarachnoid hemorrhage. The brain weighs 1475 grams and is normal in shape. The leptomeninges are thin and delicate. The cerebral hemispheres are symmetrical. The structures at the base of the brain, including the cranial nerves and blood vessels, are intact. The cerebral cortical ribbon is well-demarcated from the white matter. The deep nuclei and ventricles have the standard configuration with no lesions. Parasagittal sections of the cerebellum and transverse sections of the brainstem are unremarkable.

Ly Dinh Pham ML11-0211 -5-

NECK: The anterior muscles of the neck are without hemorrhage. The tongue mucosa is intact with no hemorrhage in the musculature. The hyoid bone and thyroid and cricoid cartilages are intact. The laryngeal mucosa is tan and glistening with no edema. The epiglottis is thin with no edema. The atlanto-occipital articulation is stable. No cervical fractures are palpated.

CARDIOVASCULAR SYSTEM: See EVIDENCE OF INJURY. The heart weighs 350 grams and the nontraumatic epicardial surfaces are smooth and glistening with a moderate amount of epicardial fat. The coronary arteries have patent ostia, a right-dominant distribution, and are free of significant atherosclerosis. The myocardium is red-brown, without pallor, softening, or fibrosis. The atrial and ventricular septa are intact. The wall thickness of the left ventricle is 1.5 centimeters, the interventricular septum 1.5 centimeters, and the right ventricle 0.4 centimeter. The atrial septum is intact. The chambers of the heart are not dilated. The nontraumatic portions of the endocardial surfaces are smooth and without hemorrhage. The four cardiac valves are thin, freely mobile, and measure as follows: tricuspid valve 12 centimeters, pulmonic valve 5 centimeters, mitral valve 9 centimeters, and aortic valve 6 centimeters.

The aorta and its major branches arise normally, follow their usual distribution, and are free of significant atherosclerosis. The venae cavae and their major tributaries return to the heart in their usual distribution and are free of thrombi.

RESPIRATORY SYSTEM: See EVIDENCE OF INJURY. The right lung weighs 250 grams and the left lung weighs 225 grams. The lungs have normal lobation. The nontraumatic portions of the pleural surfaces are smooth and shiny, and have mild anthracotic pigment deposition. The parenchyma is red-brown, edematous and congested, and has no masses, consolidation, or hemorrhage. The cut surfaces exude a moderate amount of sanguineous fluid. The bronchi are unremarkable. The vasculature is without thromboemboli.

HEPATOBILIARY SYSTEM: The liver weighs 1650 grams and has a smooth, glistening intact capsule covering dark red-brown parenchyma with no focal lesions and no visible or palpable fibrosis.

Ly Dinh Pham ML11-0211 -6-

The gallbladder contains 1.5 milliliters of tan-brown, mucoid bile; the gallbladder mucosa is green, velvety and unremarkable. The extrahepatic biliary tree is patent, without evidence of calculi.

ALIMENTARY SYSTEM: The esophagus is lined by gray-white mucosa. The gastric mucosa has the usual rugal folds and the lumen contains 500 milliliters of partially digested unrecognizable fragments of food. No granular material or intact pills are seen. The small intestines, colon, and appendix are unremarkable. The pancreas has pink-tan lobulated parenchyma and the ducts are patent.

GENITOURINARY SYSTEM: The renal capsules are smooth, thin, and semi-transparent. The underlying cortical surfaces are smooth and pale tan. The cortices are sharply delineated from the meduliary pyramids, which are red-purple to tan and unremarkable. The calyces, pelves, and ureters are unremarkable. The right kidney weighs 150 grams and the left kidney weighs 125 grams.

The urinary bladder contains 150 milliliters of yellow clear urine; the mucosa is pinktan and unremarkable. The testes, prostate gland and seminal vesicles are unremarkable.

RETICULOENDOTHELIAL SYSTEM: The spleen weighs 75 grams and has a smooth, intact capsule covering dark red-purple, moderately firm parenchyma; the white pulp is grossly unremarkable. No enlarged lymph nodes are seen.

ENDOCRINE SYSTEM: The thyroid gland has a normal shape and size and uniform red-brown parenchyma. The parathyroid glands are inconspicuous. The adrenal cortices are golden yellow and uniformly thin and the medullae are thin and gray. The pituitary gland is unremarkable.

MUSCULOSKELETAL SYSTEM: See EVIDENCE OF INJURY. Muscle development is normal. No non-traumatic bone or joint deformities are noted.

TOXICOLOGY: Blood, vitreous humor, urine, bile, stomach contents, liver and brain are submitted.

Ly Dinh Pham ML11-0211 -7-

HISTOLOGY: Sections of the heart, lungs, liver, kidney, and brain are submitted for microscopic examination.

EVIDENCE: Clothing, bags from the hands, a gunshot residue kit from the hands, fingernail scrapings and clippings, and the projectile recovered from the right arm are submitted

#### PATHOLOGIC DIAGNOSES

- I. Gunshot wound of left chest and right arm
  - A. Entrance wound on lateral upper left chest, no soot deposition or gunpowder stippling
  - B. Perforation of the skin and soft tissues of the left chest, pericardium and heart, middle lobe of right lung, and skin and soft tissues of the right chest
  - C. Exit wound on lateral right chest
  - D. Re-entrance on the medial proximal right arm
  - E. Copper jacketed, medium caliber, slightly deformed bullet recovered from right triceps muscle
  - F. Direction: Left to right, front to back, and downward
  - G. Associated injuries: bilateral hemothoraces (left, 825 milliliters; right, 750 milliliters), hemopericardium (125 milliliters), soft tissue hemorrhage of chest and right arm
- II. Additional injuries
  - A. Contusions and abrasion of left upper extremity

# HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCES 1885 OLD SPANISH TRAIL HOUSTON, TEXAS 77054-2001

Alex John, M.D. Forensic Pathology Fellow ML11-0211

## MICROSCOPIC EXAMINATION

LIVER - Moderate macrovesicular steatosis; mild periportal inflammation

KIDNEY - No significant histopathologic abnormalities

BRAIN - No significant histopathologic abnormalities

LUNGS - Intra-alveolar hemorrhage; anthracotic pigment deposition; interstitial lymphocytic infiltrate

HEART - Mild perivascular fibrosis

7/- /

Alex John, M.D.

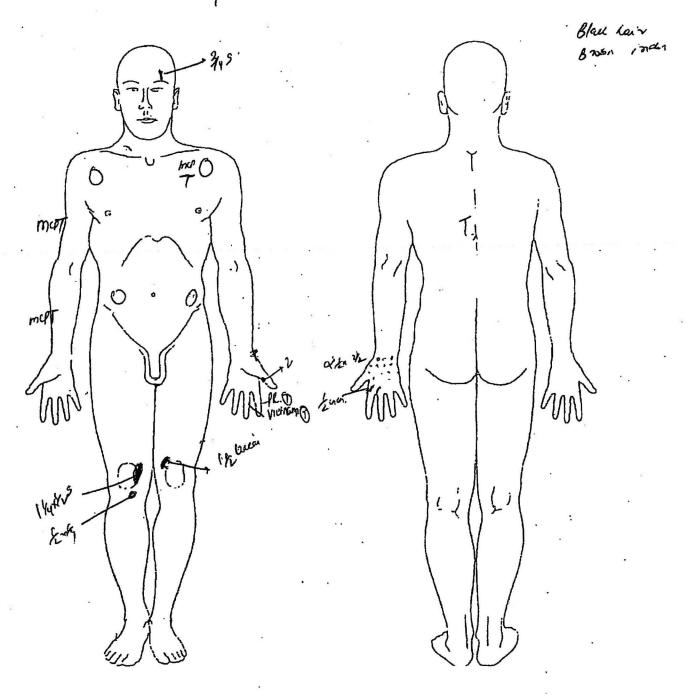
**MMDDYY** 

Forensic Pathology Fellow

## OFFICE OF THE MEDICAL EXAMINER OF HARRIS COUNTY

JOSEPH A. JACHIMCZYK FORENSIC CENTER 1885 OLD SPANISH TRAIL HOUSTON, TEXAS 77054-2098

CASE NO: M/-1/- 2/1	DECEDENT'S NAME: _	Pham	Dush	dy
DOCTOR'S SIGNATURE:				

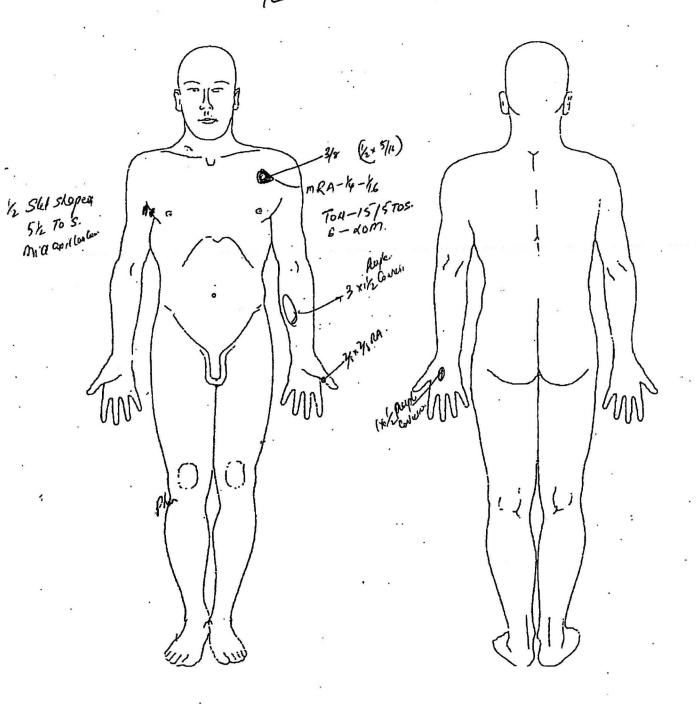


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## OFFICE OF THE MEDICAL EXAMINER OF HARRIS COUNTY JOSEPH A. JACHIMCZYK FORENSIC CENTER 1885 OLD SPANISH TRAIL HOUSTON, TEXAS 77054-2098

CASE NO: MI-11 - 211 DECEDENT'S NAME: BROW DUNLY

DOCTOR'S SIGNATURE:



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## HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCES

1885 Old Spanish Trail

Houston, Texas 77054-2001

Phone: 713-796-6830 Fax: 713-796-6838

## LABORATORY REPORT

February 11, 2011

LABORATORY NUMBER: ML11-0211

Deceased: LI DINH PHAM

Submitted By:

Alex John, M.D.

Forensic Pathology Fellow

Harris County Institute of Forensic Sciences

1885 Old Spanish Trail Houston, TX 77054

Agency Number:

ML11-0211

Submission Date:

January 19, 2011

Specimen: Blood (femoral)

**Analyte** 

Amphetamine

Methamphetamine

Result

Less than 0.10 mg/L

**Analytical Method** 

GC/MS

0.55 mg/L

GC/MS

Specimen: Blood (femoral)

**Analyte** 

**Ephedrine** 

Ethanol, Methanol, Isopropanol, Acetone

Methylenedioxyamphetamine

Methylenedioxymethamphetamine

Phentermine

Pseudoephedrine

Result

None Detected None Detected

None Detected

None Detected

GC/MS Headspace GC

GC/MS

**Analytical Method** 

GC/MS

GC/MS GC/MS

None Detected None Detected

**Analytical Method** 

Specimen: Blood (right chest)

Analyte

Cocaine Metabolite

Phencyclidine

Result

None Detected None Detected

Immunoassay Immunoassay

INSTITUTE OF FORENSIC SCIENCES

FEB 1 4 2011

Lynn DeCuir, B.S., T.C. (N.R.C.C.), FTS-ABFT

year De Cut

Toxicologist I

February 11, 2011

Fessessework Guale, DVM, D-ABVT, FTS-ABFT

- Guale

Toxicologist I

February 11, 2011

Medical Examiner's Initial

Unless otherwise requested, toxicology specimens will be discarded one year after date of receipt.

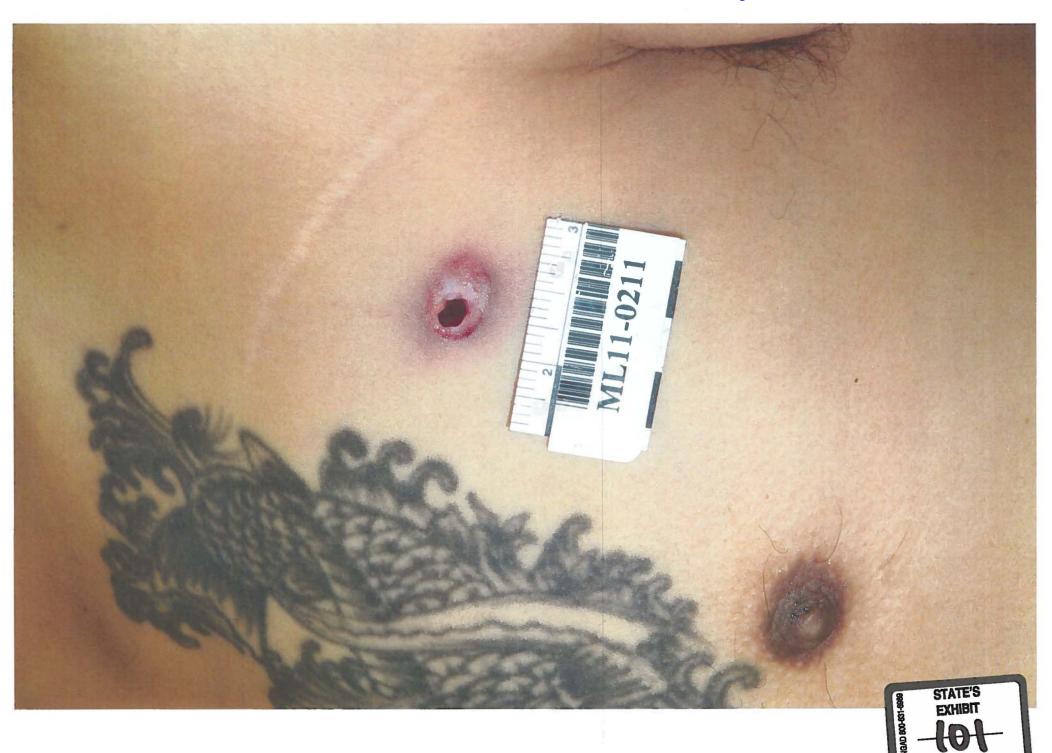
This Laboratory is Accredited by ASCLD/LAB-International and ABFT.

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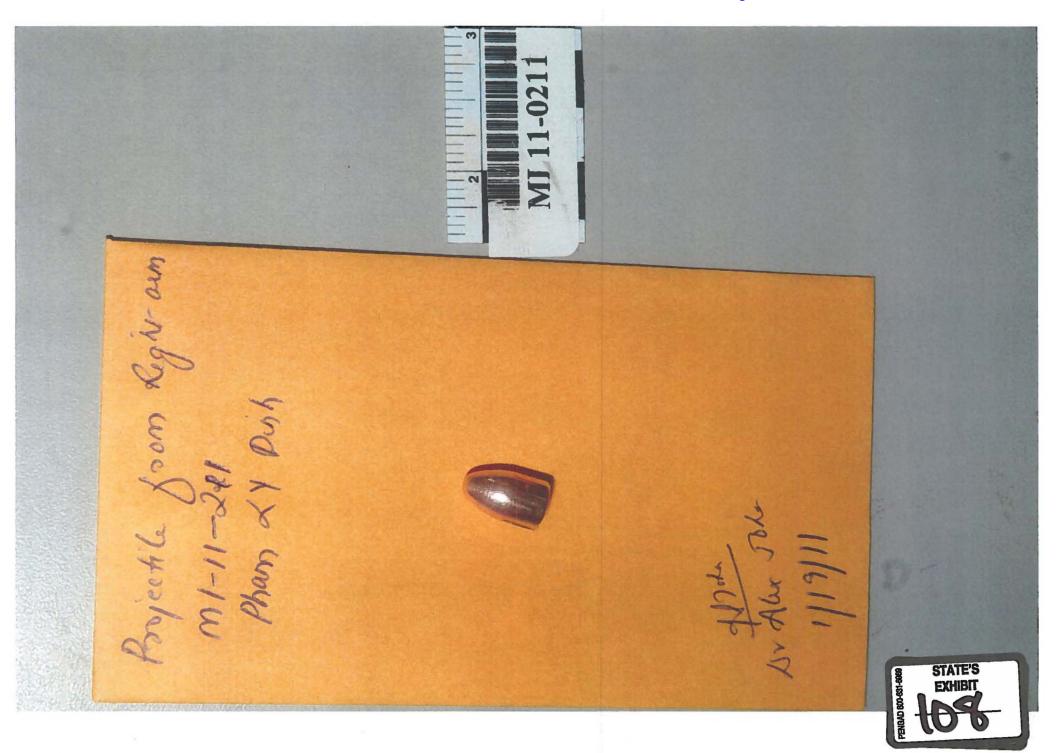
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2011-0 Acq Tm:: 07-25

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STATE'S EXHIBIT































# TOMMY THOMAS Sheriff of Harris County

#### HARRIS COUNTY SHERIFF'S DEPARTMENT DETECTIVE BUREAU

Case Number:

### **PHOTOGRAPHIC SHOW-UP**

You are being requested to participate in a criminal investigation by viewing the photographs displayed. Please read the following instructions carefully. After you have done so, please sign your name and enter the date and time in the space provided.

### **INSTRUCTIONS:**

- 1. You will be asked to look at a group of photographs.
- 2. The fact that the photographs are being shown to you should not influence your judgement.
- 3. You should not conclude or guess that the photographs contain a picture of the person who committed the crime.
- 4. You are not obligated to identify anyone.
- 5. Remember it is just as important to clear innocent persons from suspicion, as it is to identify the guilty parties.
- 6. Do not discuss this case with any other witnesses nor indicate in any way that you have identified someone.

I have read the above set of instructions and do fully understand them.

Signature:	Choi Vo Unable to sign
Date:	1-21-11
Time:	4:10 p.m.
Signature of Deputy:	



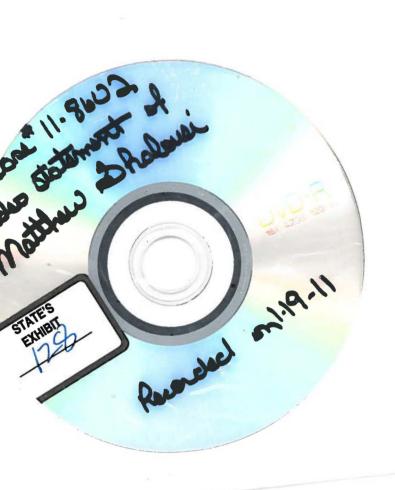
## Harris County Sheriff's Office



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STATE'S EXHIBIT



STATE OF TEXAS 1 2 COUNTY OF HARRIS 3 I, Marcia E. Barnett, Official Court Reporter in and for the 263rd District Court of Harris, State of Texas, 4 5 do hereby certify that the above and foregoing contains a true and correct transcription of all portions of 6 7 evidence and other proceedings requested in writing by 8 counsel for the parties to be included in this volume of the Reporter's Record in the above-styled and numbered 9 10 cause, all of which occurred in open court or in 11 chambers and were reported by me. 12 I further certify that this Reporter's Record of the 13 proceedings truly and correctly reflects the exhibits, if any, offered by the respective parties. 14 15 I further certify that the total cost for the preparation of this Reporter's Record is \$ 24.00 and was 16 17 paid/will be paid by Harris County. WITNESS MY OFFICIAL HAND on this, the 4th day of 18 19 February, 2017. 20 /s/Marcia E. Barnett 21 Marcia E. Barnett, CSR Texas CSR 5144 Official Court Reporter 22 263rd District Court 23 1201 Franklin Houston, Texas 77002 24 Telephone: (713) 755-6944 Expiration: 12/31/2017 25